

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARVEL CHARACTERS, INC.,

Plaintiff and Counterclaim-Defendant,

v.

LAWRENCE D. LIEBER,

Defendant and Counterclaimant.

Case No.: 1:21-cv-7955-LAK

and consolidated cases

21-cv-7957-LAK and 21-cv-7959-LAK

Hon. Lewis A. Kaplan

MARVEL CHARACTERS, INC.,

Plaintiff and Counterclaim-Defendant,

v.

KEITH A. DETTWILER, in his capacity as
Executor of the Estate of Donald L. Heck,

Defendant and Counterclaimant.

**DEFENDANT AND
COUNTERCLAIMANT PATRICK S.
DITKO'S NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

MARVEL CHARACTERS, INC.,

Plaintiff and Counterclaim-Defendant,

v.

PATRICK S. DITKO, in his capacity as
Administrator of the Estate of Stephen J.
Ditko,

Defendant and Counterclaimant.

PLEASE TAKE NOTICE that, upon the attached Memorandum of Law in Support, the Declarations of Marc Toberoff and exhibits thereto, and the Local Rule 56.1 Statement of Material Facts, Defendant and Counterclaimant Patrick S. Ditko, as Administrator of the Estate of Stephen J. Ditko the (“Estate”) hereby moves the Court, before the Honorable Lewis A. Kaplan, United States District Judge, United States District Court for the Southern District of New York, at 500 Pearl Street, New York, New York 10007, for an Order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting summary judgment in its favor as to the Counterclaim and Complaint in their entirety, and for such other and further relief as this Court may deem just and proper.

Date: May 19, 2023

By: /s/ Marc Toberoff
Marc Toberoff

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